

REMARKS

In the Office Action dated 05/05/2005 (hereinafter, "the Office Action"), the Office rejects all of the pending claims under §103. The Office's rejections are based upon the following two references:

- Krishnan et al. US Patent No. 6,141,698 (issued 10/31/2000) (hereinafter, "Krishnan"); and/or
- Esquibel et al. US Patent No. 6,662,186 (issued 12/09/2003) (hereinafter, "Esquibel").

On Tuesday, September 20, 2005 a telephone interview was conducted between Examiner Cindy Nguyen and Applicant's attorneys (Kasey C. Christie and Christen M. Fairborn) to further clarify issues related to the Office Action. As a result of this telephone interview, the Examiner and Applicant reached an agreement that Esquibel does not deal with executable images as recited in Applicant's claims, and therefore does not cure the deficiencies of Krishnan. In light of this agreement, Applicant respectfully requests reconsideration and allowance of all of the claims of the application.

Claims 1, 3-8, 10-16, and 18-23 are presently pending. Claims amended herein are none. Claims withdrawn or cancelled herein are none. New claims added herein are none.

421 West Riverside, Suite 500
Spokane, WA 99201
P: 509.324-9256
F: 509.323-8979
www.lee&hayes.com

lee & hayes

Serial No.: 10/090,650
Atty Docket No.: MS1-779US
RESPONSE TO OFFICE ACTION

90920051401 C:\Documents and Settings\christie\My Documents\Projects\MS1-779US\MS1-779US Rev
atty: Kasey C. Christie

Substantive Claim Rejections

Claim Rejections under §103

Claim 1

In the telephone interview it was agreed that Esquibel does not deal with executable images as recited in Applicant's claims, and that Esquibel therefore does not cure the deficiencies of Krishnan with respect to claim 1. For example, Esquibel does not teach or suggest a file-format recognizer configured to recognize the file format of an executable image from amongst a database of multiple file format definitions, wherein the database is extensible so that additional file format definitions may be added to the database of multiple file format definitions, as recited in claim 1. Further, Esquibel does not disclose or suggest an exporter configured to build a representation of program modules that an executable image exports, as recited in claim 1.

Accordingly, claim 1 is allowable for at least these reasons, and Applicant respectfully requests that the §103 rejection be withdrawn as agreed in the telephone interview, and that claim 1 be allowed in the Examiner's next action.

Claims 3-7

It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Accordingly, claims 3-7 are allowable by virtue of their dependency upon claim 1. Additionally, some or all of claim 3-7 may also be allowable over the Krishnan-Esquibel combination for independent reasons.

421 West Riverside, Suite 500
Spokane, WA 99201
P: 509.324-9256
F: 509.323-8979
www.leeandhayes.com

lee & hayes

Serial No.: 10/090,650
Atty Docket No.: MS1-779US
RESPONSE TO OFFICE ACTION

100920051401 C:\Documents and Settings\christie\My Documents\Projects\MS1-779US\MS1-779US.Rtf

atty: Kasey C. Christie

Claim 8

In the telephone interview it was agreed that Esquibel does not deal with executable images as recited in Applicant's claims, and that therefore, Esquibel does not cure the deficiencies of Krishnan, with respect to claim 8. For example, Esquibel does not teach or suggest "a database of multiple executable-image formats which is the basis for which the recognizer recognizes the format of executable image and for which the memory-mapper varies how it loads and maps the executable image into memory, wherein the database is extensible so that additional executable-image formats may be recognized by the recognizer and loaded and mapped by the memory-mapper", as recited in claim 8.

Accordingly, claim 8 is allowable for at least this reasons, and Applicant respectfully requests that the §103 rejection be withdrawn as agreed in the telephone interview, and that claim 8 be allowed in the Examiner's next action.

Claims 10-15

It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Accordingly, claims 10-15 are allowable by virtue of their dependency upon claim 8. Additionally, some or all of claim 10-15 may also be allowable over the Krishnan-Esquibel combination for independent reasons.

Claim 16

In the telephone interview it was agreed that Esquibel does not deal with executable images as recited in Applicant's claims, and that Esquibel does not cure the deficiencies of Krishnan, with respect to claim 16. For example, Esquibel

421 West Riverside, Suite 500
Spokane, WA 99201
P: 509.324-9256
F: 509.323-8979
www.lee&hayes.com

lee & hayes

1 does not teach or suggest "investigating information related to the executable
2 image, thereby identifying the format of the executable image, wherein during the
3 investigating, an extensible database of executable-image formats is accessed", as
4 recited in claim 16.

5 Accordingly, claim 16 is allowable for at least this reasons, and Applicant
6 respectfully requests that the §103 rejection be withdrawn as agreed in the
7 telephone interview, and that claim 8 be allowed in the Examiner's next action.

8
9 Claims 18-20

10 It is axiomatic that any dependent claim which depends from an allowable
11 base claim is also allowable. Accordingly, claims 18-20 are allowable by virtue of
12 their dependency upon claim 16. Additionally, some or all of claim 18-20 may be
13 allowable over the Krishnan-Esquibel combination for independent reasons.

14
15 Claim 21

16 In the telephone interview it was agreed that Esquibel does not deal with
17 executable images as recited in Applicant's claims, and that Esquibel does not
18 cure the deficiencies of Krishnan, with respect to claim 21. For example, Esquibel
19 fails to teach or suggest a "computer-readable medium having modularized
20 computer-executable modularized sets of instructions that, when executed by the
21 computer, load one or more executable images into a computer memory, such an
22 image having one or more formats defined by an extensible database of
23 executable-image formats", as recited in claim 21.
24
25

Serial No.: 10/090,650
Atty Docket No.: MS1-779US
RESPONSE TO OFFICE ACTION

12.0920051401 C:\Documents and Settings\christi\My Documents\Projects\MS1-779US\MS1-779US Ra

atty: Kasey C. Christie

421 West Riverside, Suite 500
Spokane, WA 99201
P: 509.324-9256
F: 509.323-8979
www.lee&hayes.com
lee & hayes

1 Accordingly, claim 21 is allowable for at least this reasons, and Applicant
2 respectfully requests that the §103 rejection be withdrawn as agreed in the
3 telephone interview, and that claim 21 be allowed in the Examiner's next action.

4
5 Claims 22 and 23

6 It is axiomatic that any dependent claim which depends from an allowable
7 base claim is also allowable. Accordingly, claims 22-23 are allowable by virtue of
8 their dependency upon claim 21. Additionally, some or all of claim 22-23 may
9 also be allowable over the Krishnan-Esquibel combination for independent
10 reasons.
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

421 West Riverside, Suite 500
Spokane, WA 99201
P: 509.324-9256
F: 509.323-8979
www.leeohayes.com
leeohayes

Serial No.: 10/090,650
Atty Docket No.: MSI-779US
RESPONSE TO OFFICE ACTION

130920051401 C:\Documents and Settings\chris\My Documents\Projects\MSI-779US\MSI-779US Re

atty: Kasey C. Christie

Dependent Claims

In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant submits that the Office withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Office is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: 9-20-05By: 

Kasey C. Christie
Reg. No. 40559
(509) 324-9256 x232
kasey@leehayes.com
www.leehayes.com

421 West Riverside, Suite 500
Spokane, WA 99201
P: 509.324-9256
F: 509.323-8979
www.leehayes.com
lee & hayes

Serial No.: 10/090,650
Atty Docket No.: MS1-779US
RESPONSE TO OFFICE ACTION
DATED 5/5/2005

14 0920051401 C:\Documents and Settings\chris\My Documents\Projects\MS1-779US\MS1-779US R6

atty: Kasey C. Christie